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|---|------------------------|---------------------|--|
| Examiner-Initiated Interview Summary | Application No. | Applicant(s) | |
| | 10/035,349 | SCHNEIDER ET AL. | |
| | Examiner | Art Unit | |
| | Bradley L. Sisson | 1634 | |

All Participants:

Status of Application: 041

(1) Bradley L. Sisson.

(3) _____.

(2) Kenneth E. Jenkins, Ph.D..

(4) _____.

Date of Interview: 17 November 2004

Time: 12:05PM

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: *Draft claims and literature article, submitted via e-mail on 07 october 7, 2004, attached hereto.*

Part I.

Rejection(s) discussed:

Claims discussed:

1, 9-10, 13-14, 23-24, 32, 36-38, 42, 45, 48-50, 53-56

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

B. L. Sisson

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Mr. Sisson acknowledged receipt of the e-mail of 10/7/04 and the attached MS Word file therein which contained a draft amendment.

Mr. Sisson indicated general approval of the draft amendment, with specific areas of concern with claims 48-50 and 53-56. Mr. Sisson indicated that potential 112, first paragraph, issues may exist with regard to claim 48 as to how one can synthesize and/or screen a library of elements in a chemical library when at the same time one is also tagging said elements. Mr. Sisson indicated further that the chemical library could be antibodies or antigens and the screening is being conducted in vivo. Dr. Jenkins indicated that in the interest of securing an allowance of claims, that claims 48-50 could be canceled via an examiner's amendment, and that all other claims indicated as being amended in the draft response could also be entered via an Examiner's Amendment.

Mr. Sisson raised concern over the language found in claims 53-55 as it relates to a range of labeling moieties. Mr. Sisson noted that the amendment received 23 April 2003 states at page 12 that support for these claims is to be found in the specification at "page 22, line 32 to page 23, line 6," yet a review of the cited passage failed to produce the needed support. Dr. Jenkins indicated that support for the ranges may be located in a document listed in the specification and which has been incorporated by reference, however, in the interest of advancing prosecution, authorized the cancellation of said claims via examiner's amendment.

Mr. Sisson expressed concern over the recitation of isotopes of carbon, nitrogen, and hydrogen in claim 56, when claim 56, which depends from claim 45, stipulates that the labeling moiety is to be selected from elements that have an atomic number of from 17 to 77, and the atomic number for hydrogen, carbon, and nitrogen are 1, 6, and 7, respectively. Dr. Jenkins authorized an examiner's amendment whereby claim 56 would state that the "stable isotope is ^{81}Br ."